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EXAMINER

YODER III, CHRISS S

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/015,458	Applicant(s) ORTIZ ET AL.	
	Examiner Chriss S. Yoder, III	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14, 16, 18-22, 24, 28-31, 70 and 72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14, 16, 18-22, 24, 28-31, 70 and 72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed August 15, 2005 have been fully considered but they are not persuasive.

Applicant argues:

A. Anderson (US Patent No. 6,578,203)

1) Anderson is not operated as a "hand held device".

In regard this argument that the Anderson device is not used as a hand held device, the Examiner disagrees because the use of the Anderson device as a hand held device can be seen in column 5, lines 34-38.

2) Anderson does not teach "*simultaneous* viewing of video capture from more than one camera at an entertainment venue".

In regard to this argument, with respect to claim 1, the limitation of "*simultaneous* viewing of video capture from more than one camera" is not claimed, the claim merely states: "displaying said at least one in-play camera view on said display", this limitation is met by Anderson because Anderson does display "at least one in-play camera view" (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

B. Narayanaswami (US Patent No. 6,657,654)

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1) Narayanaswami does not teach “viewing of simultaneous video on a hand held device.”

In regard to this argument, with respect to claim 1, the limitation of “viewing of simultaneous video on a hand held device” is not claimed, the claim merely states: “displaying said at least one in-play camera view on said display”, this limitation is met by Anderson because Anderson does display “at least one in-play camera view” (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

2) Narayanaswami does not teach “a user’s ability to select only one video perspective for viewing from more than one video perspective being simultaneous viewed as video on the display associated with a hand held device.”

This is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

3) Narayanaswami is “directed toward an entirely different field of use than live entertainment.”

In response to applicant's argument that Narayanaswami is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the reference is analogous in the field of hand held devices that

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capture and store image/video data, and as for applicant's argument that this is not analogous because it is not in the field of live entertainment, Narayanaswami discloses in column 5, lines 51-55 that the hand held device can be used for video conferencing, which is notoriously well known as live video.

C. Anderson and Narayanaswami

1) "Anderson and Narayanaswami either alone or in combination, do not teach or suggest simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices."

In regard to this argument, with respect to claim 1, the limitation of "simultaneous viewing of more than one video image" is not claimed, the claim merely states: "displaying said at least one in-play camera view on said display", this limitation is met by Anderson because Anderson does display "at least one in-play camera view" (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

2) "Anderson and Narayanaswami, alone or in combination, do not teach or suggest the ability for users to use a hand held device to view in play camera views received at an entertainment venue together with other simultaneously transmitted video signals."

In regard to this argument, with respect to claim 1, the limitation to "view in play camera views received at an entertainment venue together with other simultaneously

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transmitted video signals” is not claimed, the claim merely states: “displaying said at least one in-play camera view on said display”, this limitation is met by Anderson because Anderson does display “at least one in-play camera view” (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

3) “One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide methods enabling simultaneous viewing of more than one video image captured by cameras at an entertainment venue on a single display associated with hand held devices.”

In regard to this argument, with respect to claim 1, the limitation of “simultaneous viewing of more than one video image” is not claimed, the claim merely states: “displaying said at least one in-play camera view on said display”, this limitation is met by Anderson because Anderson does display “at least one in-play camera view” (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

4) “One skilled in the art would not be motivated after reading Anderson and/or Narayanaswami to provide a hand held device including a display adapted to view in play camera views received at an entertainment venue together with other simultaneously transmitted video”

In regard to this argument, with respect to claim 1, the limitation of “display adapted to view in play camera views received at an entertainment venue together with other simultaneously transmitted video” is not claimed, the claim merely states: “displaying said at least one in-play camera view on said display”, this limitation is met by Anderson because Anderson does display “at least one in-play camera view” (column 6, lines 45-48). And with respect to claims 10, 21, 31, and 70, this is a new limitation, therefore, the arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, and 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson, Jr. et al. (US Patent # 6,578,203).
2. In regard to claim 1, note Anderson discloses the steps of simultaneously transmitting more than one video signal captured by more than one video camera located at an entertainment venue said more than one video signal including at least

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one in-play camera view from at least one in-play camera located at an in-play location within the entertainment venue (column 2, line 66- column 3, line 15 and column 4, lines 31-46; figure 2: 22 and 25; the in-play cameras are considered to be the video cameras positioned around the event and the video signals are transmitted simultaneously), processing said more than one video signal for display on a display associated with a hand held device (column 6, lines 5-47; the video is processed in order to display the video that is selected by the user), and displaying said at least one in-play camera view on said display (column 6, lines 5-47).

3. In regard to claim 2, note Anderson discloses enabling display of only one video signal selected from the more than one video signal displayed on the display in response to a user input (column 5, lines 1-9 and column 5, lines 40-45).

4. In regard to claim 8, note Anderson discloses that said in-play camera location comprises a placement within at least one racing car competing within a racing venue (column 6, lines 14-39).

5. In regard to claim 9, note Anderson discloses that said entertainment venue comprises a racing venue (column 2, line 65 – column 3, line 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 3-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, Jr. et al. (US Patent # 6,578,203) in view of Narayanaswami (US Patent # 6,657,654).

7. In regard to claim 3, note Anderson discloses the use of method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 1. Therefore, it can be seen that Anderson fails to disclose the step of recording the one video signal the hand held device in response to a user input. Narayanaswami disclose the use of a handheld device that records data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to record a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Anderson device to include the step of recording the video source in order to replay the video at a later time.

8. In regard to claim 4, note Anderson discloses the use of method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 1. Therefore, it can be seen that Anderson fails to disclose the step of storing said at least one in-play camera view transmitted from said at least one in-play camera in response to a user input. Narayanaswami disclose the use of a handheld device that stores data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to store a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Anderson device to include the step of storing the video source in order to replay the video at a later time.

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9. In regard to claim 5, note Narayanaswami discloses storing said at least one in-play camera view within a memory location in the hand held device (column 5, lines 45-47; the camera view is stored in memory 210).

10. In regard to claim 7, note the primary reference of Anderson in view of Narayanaswami disclose the use of a method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 3. Therefore, it can be seen that the primary reference of Anderson in view of Narayanaswami fails to disclose that said at least one in-play camera view comprises an instant replay. Official notice is taken that the concepts and advantages of using instant replay in video are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to use a camera view that comprises an instant replay in order to highlight specific events (e.g. an important play in a sporting event).

11. Claims 10-12, 18-22, 29-30, 31, 70, and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, Jr. et al. (US Patent # 6,578,203) in view of Lu (US PGPub # 2003/0041334).

12. In regard to claim 10, note Anderson discloses a method for transmitting entertainment venue-based in-play camera views comprising the steps more than one in-play camera simultaneously capturing in-play camera views from within an entertainment venue (column 3, lines 10-15; and figure 2: 22 and 25) and simultaneously transmitting said in-play camera views directly from said at more than one in-play camera to at least one hand held device (column 4, lines 45-54; and column

5, lines 22-37). Therefore, it can be seen that the Anderson device lacks the use of simultaneously displaying more than one in-play camera view. Lu discloses the use of simultaneously displaying more than one in-play camera view (paragraph 0038; and figure 2B). Lu teaches that the simultaneous display of more than one in-play camera view is preferred in order to allow the user to easily select a program of interest (paragraph 0037). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Anderson device to include the use of simultaneously displaying more than one in-play camera view as suggested by Lu.

13. In regard to claim 11, note Anderson discloses the use of processing said in-play camera views at said at least one hand held device for display on a display associated with said at least one hand held device (column 6, lines 5-47; the video is processed in order to display the video that is selected by the user) and displaying video on said display associated with said at least one hand held device (column 6, lines 5-47), and Lu discloses the simultaneous display of more than one in play camera view on said display (paragraph 0038; and figure 2B).

14. In regard to claim 12, note Anderson discloses displaying at least one in-play camera view selected from more than one in-play camera view to said hand held device in response to a user input (column 5, lines 1-9).

15. In regard to claim 18, note the primary reference of Anderson in view of Lu disclose the use of a method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 11. Therefore, it can be seen that the primary reference of Anderson in view of Lu fails to disclose that at least one of said in-

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play camera views is recorded in a memory for use as an instant replay. Official notice is taken that the concepts and advantages of using instant replay in video are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to use a camera view that comprises an instant replay in order to highlight specific events (e.g. an important play in a sporting event).

16. In regard to claim 19, note Anderson discloses that said more than one in-play camera location comprise placement within at least one racing car competing within a racing venue (column 6, lines 14-39).

17. In regard to claim 20, note Anderson discloses that said venue comprises a racing venue (column 2, line 65 – column 3, line 5).

18. In regard to claim 21, note Anderson discloses the steps of simultaneously transmitting in-play camera views from in-play cameras located at in-play locations within a venue to enterprise equipment (column 3, lines 28-65; and figure 1: 22 and 28), processing said in-play camera views at said enterprise equipment for transmission to at least one hand held device for selective display at a display screen associated with said at least one hand held device (column 4, lines 32-54; and figure 2: 64, 67, and 71) and transmitting processed in-play camera views to at least one hand held device (column 4, lines 47-54). Therefore, it can be seen that the Anderson device lacks the use of simultaneously displaying more than one in-play camera view. Lu discloses the use of simultaneously displaying more than one in-play camera view (paragraph 0038; and figure 2B). Lu teaches that the simultaneous display of more than one in-play

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camera view is preferred in order to allow the user to easily select a program of interest (paragraph 0037). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Anderson device to include the use of simultaneously displaying more than one in-play camera view as suggested by Lu.

19. In regard to claim 22, note Anderson discloses the steps of receiving processed in-play camera views at said at least one hand held device from said enterprise equipment (column 4, lines 6-60; the in-play cameras are considered to be the video cameras positioned around the event), processing said in-play camera view for selective display on a display associated with a hand held device (column 6, lines 5-47; the video is processed in order to display the video that is selected by the user), and displaying at least one in-play camera view on said display associated with said at least one hand held device, thereby enabling a user of said hand held device to view said in-play camera views through said hand held device (column 6, lines 5-47), and Lu discloses the simultaneous display of more than one in-play camera view and the selection of one view as said at least one processed in-play camera (paragraph 0038; and figure 2B).

20. In regard to claim 29, note Anderson discloses that said in-play camera locations comprise placement within at least one racing car competing within a racing venue (column 6, lines 14-39).

21. In regard to claim 30, note Anderson discloses that said venue comprises a racing venue (column 2, line 65 – column 3, line 5).

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22. In regard to claim 31, note Anderson discloses the steps of simultaneously receiving in-play camera views provided from at least one in-play camera at a hand held device (column 4, lines 6-60; the in-play cameras are considered to be the video cameras positioned around the event), processing said in-play camera view for display on a display associated with a hand held device (column 6, lines 5-47; the video is processed in order to display the video that is selected by the user), and displaying said in-play camera view on said display, thereby enabling a user of said hand held device to view said in-play camera views through said hand held device (column 6, lines 5-47).

Therefore, it can be seen that the Anderson device lacks the use of simultaneously displaying more than one in-play camera view. Lu discloses the use of simultaneously displaying more than one in-play camera view (paragraph 0038; and figure 2B). Lu teaches that the simultaneous display of more than one in-play camera view is preferred in order to allow the user to easily select a program of interest (paragraph 0037).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the Anderson device to include the use of simultaneously displaying more than one in-play camera view as suggested by Lu.

23. In regard to claim 70, this is an apparatus claim, corresponding to the method of claim 31. Therefore, claim 70 has been analyzed and rejected as previously discussed with respect to claim 31.

24. In regard to claim 72, note the primary reference of Anderson in view of Lu discloses the use of system for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 70. Therefore, it can be seen that the

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primary reference fails to disclose the use of a memory for recording at least one in-play camera view for display as an instant replay. Official notice is taken that the concepts and advantages of using memory for instant replay in video are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to use a camera view that comprises an instant replay in order to highlight specific events (e.g. an important play in a sporting event).

25. Claims 14, 16, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, Jr. et al. (US Patent # 6,578,203) in view of Lu (US PGPub 3 2003/0041334) in further view of Narayanaswami (US Patent # 6,657,654).

26. In regard to claim 14, note the primary reference of Anderson in view of Lu discloses the use of method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 11. Therefore, it can be seen that primary reference fails to disclose the step of recording a particular in-play camera view transmitted from said at least one in-play camera in response to a user input.

Narayanaswami disclose the use of a handheld device that records data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to record a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the step of recording the video source in order to replay the video at a later time.

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27. In regard to claim 16, note Narayanaswami discloses storing said particular in-play camera view within a memory associated with the hand held device (column 5, lines 45-47; the camera view is stored in memory 210).

28. In regard to claim 24, note the primary reference of Anderson in view of Lu discloses the use of method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 22. Therefore, it can be seen that the primary reference fails to disclose the step of recording at least one in-play camera view in response to a user input. Narayanaswami disclose the use of a handheld device that records data that is received from a camera (column 5, lines 45-47). It is commonly known in the art to record a video source in order to allow the user to playback the video at a later time. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the step of recording the video source in order to replay the video at a later time.

29. In regard to claim 28, note the primary reference of Anderson in view of Lu and Narayanaswami disclose the use of a method for transmitting venue-based in-play camera views for display at a hand held device as claimed in claim 24. Therefore, it can be seen that the primary reference fails to disclose that said at least one in-play camera view comprises an instant replay. Official notice is taken that the concepts and advantages of using instant replay in video are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to use a camera view that comprises an instant replay in order to highlight specific events (e.g. an important play in a sporting event).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US006405371B1: note the use of a video display system with simultaneous viewing of multiple video streams.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY
October 24, 2005



NGOC-YEN VU
PRIMARY EXAMINER